

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

UNITED STATES OF AMERICA, :
-v- : D E C L A R A T I O N
: : 07 Cr. 973 (KPC)
MAURICE COTTMAN, :
: Defendant.
x

I, Maurice Cottman, hereby declare under penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am the defendant in this case, and I make this statement in support of a motion to suppress the evidence seized from an apartment in which I was a guest by law enforcement officers in violation of my constitutional rights. Because this statement is being made for a limited purpose, I do not set forth every detail of what happened.

2. On September 9, 2007 at about 5:00 a.m. I was inside Apartment 2B at 415 East 157th Street in the Bronx.

3. The apartment belonged to Ms. Claudia Clark. I had stayed there for several months with Ms. Clark's permission and had clothes and other property in the apartment.

4. When I returned to the building during the early morning of September 9, 2007, I waited outside the building because I did not have a key to the outside door.

5. Within a short time, Ms. Clark arrived by car with a male companion.

6. We argued and I went upstairs to gather my clothing and belongings.

7. There was a knocking at the door, but I did not answer since I thought it might be the man with whom I argued. However, when I looked through the key-hole, I realized it was the police.

8. As I opened the door, an officer pulled me outside while other officers entered.

9. I never gave the officers permission to enter.

10. Inside the apartment, under a mattress, I had a shot gun. A box of ammunition was on the bureau under several shirts.

11. I first told the officers about the weapon after my arrest when I was questioned in the precinct.

WHEREFORE, it is respectfully requested that Count 2 of the indictment be dismissed.

Dated: New York, New York
November 6, 2007

Respectfully submitted,

By:

MAURICE COTTMAN

TO:

MICHAEL J. GARCIA, ESQ.
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